

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

Claims 1-5, 7-15 and 17-20 are currently being cancelled.

Claims 6 and 16 are currently being amended.

Claims 21 and 22 are currently being added.

This amendment amends, adds and cancels claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 6, 16, 21 and 22 are now pending in this application.

Claim Rejections – Prior Art:

In the Office Action, claims 1-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0197894 to Miyamoto et al. This rejection is traversed with respect to presently pending claims 6 and 16, for at least the reasons given below.

The present invention is directed to an image processing apparatus wherein the sizes and positions of photographs laid out on the document table are detected automatically, and wherein the photographic layout is automatically edited on the basis of layout information that a user selects from different kinds of predetermined layout patterns. Therefore, the user is not burdened with the photographs' arrangement or layout. In addition, the image processing apparatus of the present invention enables addition of illustration information and it also provides for automatic inclination adjustment. Therefore, photo albums or simple photo books can be produced easily without deterioration of picture quality, even after a copy operation is performed several times.

Miyamoto et al. does not disclose or suggest the above-described features of the present invention. Miyamoto et al. describes a method and apparatus for processing an image, in which a layout name is assigned to a set of editing processes on an image or to an image selection condition. As shown in Figure 6 of Miyamoto et al., and as described in numbered paragraph [0048] of that reference, a mark is displayed in check boxes 13 of selected images so that the selected images can be discriminated from non-selected images. Also, as described in numbered paragraph [0049] of Miyamoto et al., a layout can be selected from a plurality of layouts registered in advance in a memory 4, to allow a user to select a particular layout to suit his/her interests.

However, Miyamoto et al. does not teach or suggest features in which an image editing unit adds image information of an illustration in addition to the image information of said photographic image and which outputs the edit image, in which the plurality of photographic images are laid out within a predetermined layout, and wherein the image editing unit automatically detects inclination of the image information of the plurality of photographic images to correct the inclination.

In its rejection of claim 9 (whereby those features are now recited in presently pending independent claim 6), the Office Action asserts that Printer 9 of Figure 1 of Miyamoto et al. allows for adding image information of an illustration in addition to the image information of the photographic image and outputs an edit image, in which a plurality of photographic images are laid out within a predetermined layout (layout preview of Figure 8, see column 3, paragraph 0055, lines 1-8). Applicants respectfully disagree.

Figure 8 shows a Registration screen for printing a set of images, whereby there is no means for allowing information of an illustration on the Registration screen of Miyamoto et al. Paragraph 0055 of Miyamoto et al. describes details of the Registration screen, whereby none of those details are directed to allowing information of an illustration on the Registration screen of Miyamoto et al.

With respect to the features of now-canceled claim 10, which features have been incorporated into presently pending independent claim 6, the Office Action asserts that paragraph 0059, lines 17-26 of Miyamoto et al. discloses automatic detection of inclination of image information of a plurality of photographic images to correct the inclination. Applicants respectfully disagree.

In particular, paragraph 0059 of Miyamoto et al. describes editing of a frame, whereby the editing process may include 90 degree rotation of an image in either a clockwise or counterclockwise direction. This feature of Miyamoto et al. allows for a specific user input to cause an image to be rotated a predetermined amount, whereby this feature does not correspond to any automatic detection of inclination of image information in order to correct an inclination.

Accordingly, since presently pending independent claim 16 recites similar features as those discussed above with respect to presently pending independent claim 6, these claims are not anticipated by Miyamoto et al.

New Claims:

New claims 21 and 22 have been added to recite additional features of the present invention related to use of an affine conversion, as described on page 21, lines 9-10 of the specification. Such features are not disclosed or suggested by Miyamoto et al.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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